

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA

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v.

No. 1:22-CR-00009-RP

(1) DANIEL WOODS,
Defendant

ORDER

Before the Court is Defendant Daniel Woods' Motion to Amend Detention Order, Dkt. 40. The District Court referred the motion to the undersigned for disposition. Defendant seeks a temporary modification of his Order of Detention, Dkt. 29, to permit him to leave custody to attend his mother's funeral services in Corsicana, Texas. Dkt. 40, at 1-2. Defendant states that he would travel to and from the services in the company of his sister, LaToya James. *Id.* at 2. The motion further indicates, and the Government confirms in its response, that the Government does not oppose the request, provided that either Defendant be accompanied by deputies from the United States Marshals Service for the duration of his furlough or "that the Court impose additional highly restrictive conditions on Woods' release, such as GPS monitoring and/or a surety." *Id.* at 2; Dkt. 42. For several reasons, the undersigned denies Defendant's request.

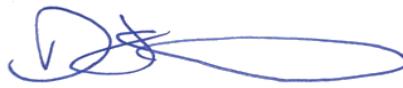
Defendant was indicted for and recently pleaded guilty to the charge of felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). Dkts. 3, 37. Defendant faces sentencing later this month. Dkt. 38. Defendant's indictment charges him with

unlawful possession of a .22-caliber revolver and a 9mm-caliber semiautomatic pistol. Dkt. 3. The Government's factual basis sets out the circumstances of Defendant's arrest, including that when Defendant was approached by police, he "ran on foot" from the officers before he was eventually apprehended. Dkt. 32, at 2. When he was apprehended, officers found a loaded revolver on his person, and multiple loaded guns in the car he had just been driving (along with suspected methamphetamine pills and other narcotics-related paraphernalia), a car that had been reported as stolen. *Id.*

The Court is certainly sympathetic to Defendant's and his family's loss. However, in light of the circumstances surrounding his most recent arrest, his lengthy criminal history, *id.* at 2-3, the distance he would need to travel to attend the funeral services, and a looming sentencing hearing at which he will face a substantial term of imprisonment, the Court will not authorize the requested release. Short of a two-deputy team of Deputy United States Marshals to guard Defendant over the requested period of transport and release, a solution that is impracticable here, there are no conditions that can be set that provide for the safety of the community and the Defendant's future appearance in Court.

For all of these reasons, the Court hereby **DENIES** Defendant Daniel Woods' Motion to Amend Detention Order, Dkt. 40.

SIGNED June 1, 2023.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE